



# Mendocino County

## Legislation Text

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File #: 23-0167, Version: 1

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**To:** Board of Supervisors

**From:** General Services

**Meeting Date:** February 7, 2023

**Department Contact:** Janelle Rau

**Phone:** 707-234-6037

**Department Contact:** Doug Anderson

**Phone:** 707-234-6054

**Item Type:** Consent Agenda

**Time Allocated for Item:** N/A

**Agenda Title:**

Approval of Renewing the Finding Made in Resolution No. 22-247 that the Deteriorating Condition of the Administration Center Server Room Cooling System Constitutes an Emergency that Requires Immediate Action to Prevent or Mitigate the Loss or Impairment of County Property and Ability to Provide Essential Public Services and Determining There is a Need to Continue With the Contract to Resolve the Emergency

**Recommended Action/Motion:**

Approve renewing the finding made in Resolution No. 22-247 that the deteriorating condition of the Administration Center server room cooling system constitutes an emergency that requires immediate action to prevent or mitigate the loss or impairment of County property and ability to provide essential public services and determine there is a need to continue with the contract to resolve the emergency.

**Previous Board/Board Committee Actions:**

In the December 13 meeting the Board adopted Resolution No. 22-247 approving and emergency agreement with Kirby Constructions Company, Inc. in the amount of \$250,000 for the Capital Improvement project to replace the cooling equipment serving the Administration Center Server Room along with the necessary findings of the emergency conditions and authorization for the Purchasing Agent to execute the agreement and related documents.

January 10, 2023, the Board of Supervisors approved the continuance of the emergency for this project.

January 24, 2023, the Board of Supervisors approved the continuance of the emergency for this project.

**Summary of Request:**

Public Contract Code Section 22050(a)(1) defines the conditions under which the Board may take emergency action to issue contracts without following the competitive bidding requirements set forth elsewhere in the Public Contract Code. In addition to the findings and resolution adopted at the December 13 meeting, the Board must review the emergency action at each regularly scheduled meeting until the action is terminated. The emergency in this case is the deteriorating condition of the Administration Center server room cooling system and the emergency action was the award of the contract which will continue until the work is completed and the new system is fully operational.

At this time the Contract has been awarded and the necessary equipment ordered by the contractor. Because the emergency has not yet been resolved, it continues to exist and there is a need to continue with this contract in order to resolve the conditions causing the emergency.

**Alternative Action/Motion:**

Provide direction to staff

**Does This Item Support the General Plan?** Yes

**Strategic Plan Priority Designation:** A Prepared and Resilient County

**Supervisory District:** District 2

**vote requirement:** 4/5ths

**Supplemental Information Available Online At:**

**Fiscal Details:**

**source of funding:** CI 1710

**current f/y cost:** \$250,000

**annual recurring cost:** No

**budget clarification:** There are no specific costs associated with the continuation of the emergency

**budgeted in current f/y:** Yes

**if no, please describe:**

**revenue agreement:** No

**Agreement/Resolution/Ordinance Approved by County Counsel:** N/A

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**CEO Liaison:** Darcie Antle, CEO

**CEO Review:** Yes

**CEO Comments:**

**FOR COB USE ONLY**

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Executed By: Atlas Pearson, Senior Deputy Clerk

Final Status: Approved

Date: February 7, 2023

